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HORATIO GATES LANE

East Texas Teacher, Confederate Captain, and Jurist

JOHN N. CRAVENS

Although the outstanding characters in the development of Texas have been given considerable attention by historians, other individuals have made their contributions in a somewhat less spectacular way and have not received the recognition that they deserve. One such less prominent person was Horatio Gates Lane, who was born in Bedford County, Tennessee, March 21, 1832.¹ His parents were the Reverend Isham H. Lane, born December 27, 1790, and Theodosia Edwards Lane, born February 22, 1798. They were both born in Halifax County, Virginia.² Other children of this couple were William, George Washington, Drury, Elizabeth Matilda Rushing, and Susan Lane Wofford.³ Before migrating to Texas, the Reverend Mr. Lane was a Baptist missionary in Tennessee. William Lane, the eldest son of the preacher, and Joseph C. Rushing, his brother-in-law, came to Texas in 1847 and selected for himself and his father's family a homestead near the town of Jacksonville.⁴ When the remainder of the family came to Texas in November 1849, they stopped at the Old Stone Fort in Nacogdoches for approximately a month because of rumors of Indian and Mexican attacks before going on to Jacksonville. The Indians and Mexicans of the area were said to have become allies and were trying to recover lands taken from them by the Anglo-Americans.⁵ The Lane family experienced a happy reunion at what became their Jacksonville homestead on Gum Creek, on Christmas Day in 1849.⁶

Reverend Isham Lane resumed his ministerial work at Jacksonville and was successful in spreading the Missionary Baptist faith.⁷ He died on February 17, 1859, at the age of seventy, and his wife, Theodosia Edwards Lane, died on June 22, 1888, at the age of ninety. Both were buried in the Old City Cemetery at Jacksonville. Later their son, Drury, and their youngest son, Horatio Gates, were buried near their parents.⁸

Horatio Gates Lane was seventeen years of age when his family migrated to Texas in 1849. By that time he had received for those days a good education which included Latin, Greek, and astronomy. Lane, a distinguished looking person, was five feet, ten inches tall, weighed 185 pounds, and had light complexion and hair. At an early age his hair became quite gray.⁹ According to the United States Census of 1850, young Horatio was living at home and listed his occupation as that of a farmer.¹⁰ Horatio later became a teacher and became acquainted with General Joseph Lewis Hogg and his family, who lived near Rusk, and Horatio taught General Hogg's son, James Stephen, his ABC's. At the same time, young Lane, while teaching a private school, began the study of law in General Hogg's law office at Rusk. In 1854, Lane taught a private school just northeast of the original townsite of Rusk.¹¹

Lane was admitted to the bar at Athens, Henderson County, Texas, on May 4, 1857. John H. Reagan, later Postmaster General of the Confederate States of America, was one of the examiners.¹²

Shortly after Lane had received his license to practice law, General J. L. Hogg became ill and sent the young lawyer to Fort Worth on his first murder

case. At that time the courthouse was made of mesquite poles and boxing planks without a floor. Lane, without much experience, tried hard to represent Hogg's client and won the case. When he returned to Rusk, General Hogg said to him, "Horatio, you lost the case." Lane replied, "No, I won it and have brought back your fee, one Negro slave."¹²

Lane married Sarah (Sallie) Elizabeth Virginia Hall of Rusk.¹⁴ Born in Mississippi on July 12, 1832, she was the daughter of Sarah (Sally) Edwards of Richmond, Virginia, who came with her slave to East Texas where she met and married a Mr. Hall. Mrs. Hall had one other daughter, Mary or Polly Hall Man-tooth.¹⁵ Horatio and Sarah were blessed with a large family of 13 children. Several of them were born at Rusk, including Dr. C. Sidney ("Buddy") Lane on November 7, 1856, Virginia Alma ("Sister") Lane of March 12, 1858, and Mary ("Tina") Lane on May 16, 1860.¹⁶ Other children born to this couple were Horatio Gates, Jr. ("Rachie"), Richard, ("Dick"), Edward ("Eddie"), Samuel ("Sam") Houston, Olena ("Knee"), Lillie ("Little Honey"), Lula ("Doder"), Robert ("Bob"), Clara ("Lottie") and Jessie ("Dabba"). Three of the sons, Sidney, Horatio, and Sam became medical doctors.¹⁷

According to U.S. Census of 1860, Horatio Gates was practicing law at Rusk and reported his property to be valued at \$3500.¹⁸ A short time before the Civil War, he moved to Homer, Angelina County, then the county seat. It was there that the young lawyer bought land on which was located a two-story home, practiced law, and taught a private school until the war came.¹⁹ Lane, who owned but one Negro slave, believed that it was the government's responsibility to protect all private property. While attending to business in Rusk just before the State of Texas seceded from the Union, he heard Governor Sam Houston speak at the courthouse there. The Governor told the group that if Texas seceded from the Union that it would lose all its bonds and would be deep in debt before the close of the war. Houston even predicted that the bark from the trees growing on the square would be stripped and used to dye soldiers' uniforms. Later Lane said that the Houston predictions came true, for the bark was stripped from the trees and the state treasury was empty at the close of the war.²⁰

Lane closed his law office at Homer and in February, 1862, enlisted in the Confederate Army as a private in Company D, Twenty-second, Texas Infantry, Holmes Brigade, Walker's Division, Trans-Mississippi Department. His first captain was W. R. Anderson and his first colonel was R. B. Hubbard.²¹ When Lane started to leave home for the war, he asked his wife if she would make him one promise, not to marry again should he get killed. The wife replied that she would not make any such foolish promise.²² Mrs. Lane and her small children endured many hardships during the war. Yankees, bushwackers, and other brigands gave her trouble. She owned a good milch cow which furnished milk for her children. When anyone undesirable approached, she had her Negro slave lead the cow into the woods until the danger passed.²³ There is a story that once Mrs. Lane purchased a sack of corn meal and a sack of salt. The man who delivered them did not find her at home and placed the salt on the damp floor of her kitchen and the meal on top of it. She did not return home that day; but when she used the meal, it was so salty that the family could hardly eat the bread, but they ate it anyway for meal and salt were scarce and expensive during the war. Later, the kitchen, away from the main part of the home, was burned while Mrs. Lane and the children were away. The family never

knew the particulars about who, how, and why the kitchen was burned, but they presumed that the guilty ones ransacked the room before setting it on fire to escape possible detection.²⁴

In February, 1864, Lane received permission to raise a company of cavalry for Colonel Scott Anderson's Regiment, which was afterwards commanded by John P. Gordon. Lane was made Captain (Company E) and served with the company until the war closed.²⁵ On a number of occasions Captain Lane requested furloughs and other types of leaves of absence for men in his company because of illness, hardships, and other troubles at home.²⁶ Lane's company fought in the battles of Mansfield and Pleasant Hill, and at the mouth of the Red River in Louisiana, and at Young's Point, Richmond, and Vicksburg.²⁷

After the war, Lane returned to Homer to practice law. He must have been successful, as Dr. James Harper Starr of Nacogdoches wrote in January, 1867:

A Mr. H. G. Lane, a lawyer at Homer, has been mentioned to me as the only one now residing in Angelina County, in the legal profession at all suited as the correspondent, for you and I suppose he is a young attorney who might not be as safe in managing heavy claims as Judge Walker. I contemplate corresponding with him in my land matters and presume you could not do better. And if neither Judge Walker nor Judge Clark will take the note for contingent commission, shall I send it to Mr. Lane?²⁸

This successful law practice was interrupted when Radical Reconstruction leaders in Texas pushed aside the Presidential Reconstruction and began a new program. Because Lane refused to take the "Iron Clad Oath" as required by the Second Reconstruction Act, March 23, 1867, he was not allowed to vote or practice law. He felt that he was being imposed upon since all male Negroes could vote. Once while disenfranchised, Lane said that he had fought the North once and would fight them again, if necessary. Being disbarred from his profession, Lane tried to farm, but made a miserable failure of that kind of work.²⁹ An air of lawlessness prevailed in Angelina County at this time. One night Lane was on his way home from Lufkin when two men on horseback followed him to his home at Homer, and then they rode away. Lane said later that he believed that the men had planned to kill him and that as he rode home he expected to be murdered at any minute. This incident was an experience that he never forgot.³⁰ Lane gained the friendship and admiration of many East Texans for his stand against Radical Reconstruction.

By this time Lane had a large family to support and it was difficult to make ends meet. Until the end of Radical Reconstruction Lane taught a private school in a house or church and charged each student one dollar a month tuition but he refused to charge students who had lost their fathers in the Civil War.³¹ The 1870 Census showed Lane to be thirty-eight years of age and although he gave farming as his occupation the census taker wrote above farming "lawyer." Lane valued his real estate at \$1200 in 1870. His wife, Sallie, was now thirty-two years old, the census taker listed eight children in the family. Sidney, thirteen, Alma, twelve, and Mary, ten, had attended school in 1870. Mary was still unable to write. Other children of the Lane couple were Horatio, eight, Eddie, six, Sam, four, Olena, two, and Lillie less than a year old.³² After Lane's citizenship was restored, he resumed his practice of law at Homer.

As a lawyer Judge Lane had many interesting experiences. Only a few of which will be listed. A man by the name of Thomas lived with a woman and reared several children by her without going through the procedure of legal marriage. Later, after this woman had died, he obtained a license to marry a second woman. Then a second set of children were born and in time Thomas died. It appeared for a time that the second set of children was about to get all their father's property, but Lane, as the lawyer of the first set of children, was able to obtain for them their part of the estate.

On another occasion while Lane was serving as a state district judge, a man stole a horse. The thief picked up a boy who was walking and the two rode down the road for a while. In time the robber told the boy that he had to see a friend and excused himself, leaving the boy with the horse and instructions to meet him later in Crockett. The boy, not knowing the horse was stolen, rode on and was arrested. The boy was convicted and sent to the Texas penitentiary for a long term. Lane became convinced the boy was innocent and drew up and circulated a petition for a pardon. In a short time the boy was released.

Another case brought Lane quite a sum of money. A man was accused of murder and it appeared he could not escape being hanged for the crime. The accused man's family was wealthy and asked Lane to take the case. At first he declined, but the relatives offered such an attractive fee that he felt he could not refuse. Lane told the family that his only guarantee was that the defendant would not be hanged. The man received a two-year prison term and Lane never again experienced financial difficulties. In his practice of law he received much land and once a sawmill in payment for his work, but never retained more than several hundred acres because he preferred to keep his savings in cash.³⁴

Once Lane visited the state penitentiary at Rusk with his daughter Mary. The warden invited them to his house for dinner. When they reached the warden's house, they heard that one of the prisoners, who had been sent to prison by Lane, sent word that he would kill him if he could. The dinner was not much pleasure for Mary because of this threat.³⁵

Lane not only served as a state district judge, but served as a district attorney of the Third Judicial District of Texas.³⁶ He also served one term in the Texas State Legislature.³⁷ A number of young men studied law under Lane and were admitted to the bar. Two of the more prominent were John C. Box, Sr., and Boley O'Quinn.³⁸ Many years after Lane had moved from Homer, his nephew Drury A. Lane, had business near the former county seat. He decided to ask the first man he saw if he ever knew a lawyer by the name of H. G. Lane. The man's reply was, "Yes, I guess I did as he got me out of stealing some hogs."³⁹ While Lane was practicing law at Homer, a young man of the area was admitted to the bar and was making a great impression on nearly everybody. A person asked Lane what he thought of the promising young lawyer. Lane replied, "Bill knows just enough law to get himself in trouble and go to the penitentiary." This prophecy was correct, for the young lawyer was sent to prison and disbarred from the law above the Justice of Peace Court.⁴⁰

Lane and his family were still living at Homer in 1880. He was now forty-eight and his wife was forty-one. His oldest son, Sidney, a dry goods merchant of Wells had married Mary Emma Bailey, Lane's daughter, Alma, twenty-two had married John L. Bailey of the Crossroads community near Wells. They were

living on a farm and had one daughter, Mary Emma, less than a year old. The elder Lane's daughter, Mary, a teacher, was nineteen and still single and living at home. Other children still at home were Horatio, eighteen, Richard, fifteen and sick, Olena, twelve, Lilly, ten, Lula, eight, Robert, six, Clara, four, and Jessie, one. Olena, Lilly and Lula had attended school during the year of 1880.⁴¹

Lane, a staunch Democrat, was sent to the State Convention of the Democratic Party in Houston in August, 1884. There he was placed on the permanent organization committee.⁴²

Lane moved from Homer to Fort Worth in 1892, perhaps because his sons Eddie and Sam Houston had gone there sometime before and either bought or built a saloon. The parents worried about them and decided to move to Fort Worth so that they could urge them to go into what they believed would be a more respectable business. The move must have been successful for soon after the parents had arrived in Fort Worth, Eddie turned their saloon into a bookstore and Sam Houston began the study of medicine. H. G. Lane exchanged his home place at Homer for a home and whole block of land in Fort Worth located on the corner of Henderson and Daggett Streets near the Jacksboro Highway.

Lane and his wife belonged to the Christian Church, but they were very tolerant of the religion of others. Lane said that any religion lived up to was all right. His children and grandchildren became Methodists, Presbyterians, and Baptists, and some remained with the Christian Church of the Horatio Gates Lanes.⁴³

Lane died at his home in Fort Worth on March 3, 1911. The body was brought to Jacksonville on the Cotton Belt Railroad. It was accompanied by four of his daughters, Mrs. Jessie Singletary of Beaumont, Mrs. Lula Garland, and Misses Lena and Clara Lane of Fort Worth. Religious services were conducted by the Reverend F. H. Ford at the residence of Mrs. S. E. Jones. Then the Masonic Lodge ritual and burial took place at the Jacksonville Cemetery. Lane was buried beside his wife Sallie who had preceded him in death on November 20, 1909.⁴⁴

The Confederate veterans of Jacksonville named their camp H. G. Lane Camp Number 614 in honor of their beloved comrade. The author of this article, a great grandson, has met many elderly people of East Texas who knew and spoke highly of Horatio Gates Lane.

NOTES

¹Mamie Yeary, *Reminiscences of the Boys in Gray, 1861-1865* (Dallas, Lamar and Smith, 1912), pp. 420-421; H. L. Bentley and Thomas Pilgrim, *The Texas Legal Directory, 1876-1877* (Austin, Democratic Statesman, 1877), pp. 1-2.

²Family Bible of the Drury Lane family now owned by his son Drury A. Lane, Route 1, Jacksonville, Texas.

³Interview with Drury A. Lane, April 24, 1966, at his home on Route 1, Jacksonville, Texas.

⁴D. H. Lane, "Early Article Tells of the Naming of Jacksonville," *The Rusk Cherokeean*, Rusk, Texas, January 19, 1956. This was a reprint as Drury H. Lane, died on July 26, 1921.

⁶Interviews with Mrs. Emma Bailey Cravens, March 27, 1966, and Drury A. Lane, April 24, 1966; Bentley and Pilgrim, *The Texas Legal Directory, 1876-1877*, pp. 1-2.

⁷An undated newspaper obituary of Drury Lane owned by Drury A. Lane; Old Jacksonville was developed on the site of Gum Creek and was one and one-half miles southwest of present Jacksonville. Jacksonville was reestablished at its present location in 1872 after the construction of the International Great Northern Railroad.

⁸Interview with Emma Bailey Cravens, Wells, Texas, March 27, 1966.

⁹Family Bible of the Drury Lane Family.

¹⁰Interviews with my grandmother, Alma Lane Bailey many times before her death on December 10, 1917, and with my mother, Emma Bailey Cravens at various times; Mrs. J. L. Cravens to John N. Cravens, December 8, 1946.

¹¹U.S. Seventh Census, 1850. (MSS, Returns of the Free Inhabitants of all Counties of Texas, Cherokee County, Microfilm, Midwestern University Library, Wichita Falls, Texas.)

¹²Mrs. Lula Lane Garland to Emma Cravens, November 14, 1946; The U.S. Eight Census of 1860 for Cherokee County, Texas lists Joseph L. Hogg and H. G. Lane on the same page of the report. Hattie Joplin Roach, *History of Cherokee County, Texas* (Dallas, Southwest Press, 1934) pp. 127-128; Hattie Joplin Roach, *Hills of Cherokee County: Historical Sketches of Life in Cherokee County, Texas* (1952 edition), p. 161; Mrs. J. L. Cravens to John N. Cravens, December 8, 1946.

¹³Bentley and Pilgrim, *Texas Legal Directory, 1876-1877*, pp. 1-2. Obituary of Horatio Gates Lane from a Jacksonville newspaper, no date.

¹⁴Interview with Emma Bailey Cravens, November 28, 1946.

¹⁵Mrs. Emma Cravens to John N. Cravens, December 8, 1946.

¹⁶Margie Lane to John N. Cravens, April 6, 1966; Sallie E. V. Lane's tombstone, Jacksonville Cemetery, Jacksonville, Texas.

¹⁷Tombstones of Dr. C. S. Lane and Mary Lane in Jacksonville Cemetery and tombstone of V. A. Lane Bailey, Mount Hope Cemetery, Wells, Texas.

¹⁸U.S. Tenth Census, 1880 (MSS, Returns of Angelina County, Texas, Sub-division 8, Microfilm, Midwestern University Library); interview with Jessie Jones Dolan, March 27, 1966; interview with Drury A. Lane, April 24, 1966; Margie Lane, San Angelo, Texas to John N. Cravens, July 14, 1966. Nicknames have been inserted in parentheses and quotes.

¹⁹U.S. Eight Census, 1860 (MSS, Returns of all the Free Inhabitants of All Counties of Texas, Cherokee County, Beat No. 2, Rusk, Texas, Microfilm, Midwestern University Library.)

²⁰Mrs. J. L. Cravens to John N. Cravens, December 8, 1946.

²¹Interviews with Alma Lane Bailey and Emma Bailey Cravens.

²¹Yeary, *Reminiscences of the Boys in Gray*, pp. 420-421; this source says that Lane joined the Confederate Army at Hanan, Texas, but the writer believes that this is a typographical error; obituary of H. G. Lane.

²²Interviews with Alma Lane Bailey and Emma Bailey Cravens.

²³Interview with Jessie Jones Dolan, March 27, 1966.

²⁴Mrs. Emma Cravens to John N. Cravens, April 19, 1966.

²⁵Yeary, *Reminiscences of the Boys in Gray*, p. 421.

²⁶James H. Starr Papers, 1861-1965, University of Texas Archives, Austin.

²⁷Yeary, *Reminiscences of the Boys in Gray*, p. 421.

²⁸Jas. H. Starr to C. R. Johns and Company of Austin, January 31, 1867, Letterbook F. No. 2, James H. Starr Papers, University of Texas Archives.

²⁹Interviews with Alma Lane Bailey and Emma Bailey Cravens.

³⁰Interview with Jessie Jones Dolan, March 27, 1966.

³¹Obituary of H. G. Lane, cited above.

³²Interview with Emma Bailey Cravens, March 27, 1966.

³³U.S. Ninth Census, 1870 (MSS, Returns of Town of Homer, Angelina County, Texas, Microfilm, Midwestern University, Wichita Falls, Texas).

³⁴Interviews with Emma Bailey Cravens; Mrs. Emma Cravens to John N. Cravens, December 8, 1946.

³⁵Interview with Jessie Jones Dolan, March 27, 1966. Mary was the mother of Jessie Jones Dolan. Mary's first husband was Joe Wright and her second husband was Ed Jones.

³⁶Bentley and Pilgrim, *The Texas Legal Directory*, 1876-1877, p. 2.

³⁷Interview with Jessie Jones Dolan, March 27, 1966; the writer was unable to substantiate this information.

³⁸*Ibid.*; interview with Emma Bailey Cravens.

³⁹Interview with Drury A. Lane, April 24, 1966.

⁴⁰Interview with Mrs. Emma Bailey Cravens.

⁴¹U.S. Tenth Census, 1880 (MSS, Returns of Schedule No. 1 of Cherokee and Angelina Counties of Texas, Microfilm, Midwestern University, Wichita Falls, Texas.)

⁴²*Dallas Herald*, August 21, 1884, p. 1, Column 3.

⁴³Interview with Emma Bailey Cravens, April 24, 1966, November 23, 1967.

⁴⁴Obituary of H. G. Lane; tombstone of Sallie E. W. (Pink) Lane in the Jacksonville Cemetery.